

Exhibit C

https://helenair.com/opinion/columnists/opposing-special-session-to-draw-psc-districts/article_9ccc0b9f-61c7-583e-b52d-052d48686d3e.html

GUEST VIEW

Opposing special session to draw PSC districts

DUANE ANKNEY

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For the past eight years I served on the Senate Energy and Telecommunications Committee, six as chair. When combined with my eight years in the House, I have spent more time evaluating the Public Service Commission's (PSC) regulatory duties and commissioners than anyone in the Legislature.

For the unfamiliar, the PSC consists of five members, each elected from a distinct geographic Montana district. Their primary charge is keeping your lights on and power costs low. Over the last two decades I have watched the Montana PSC descend into a state of dysfunctionality. Rather than focus on its regulatory role, it has become a political body whose commissioners routinely degrade each other.

Today's commissioners often let politics distract them from their role of regulating energy costs and energy reliability.

Previous efforts made by the Legislature to redraw the PSC district boundaries to correct for population imbalances as required by the Constitution (one man, one vote) died in committee, as both parties sought to gerrymander seat boundaries to their benefit. Further, prospective PSC candidates, while still serving in the Legislature, worked to ensure they had a favorable seat for their upcoming political race. Despite the growing population imbalance between PSC districts, the chair of House Energy did not redraw PSC district boundaries this session, perhaps because he planned to run.

A federal court has now intervened. The court, recognizing the unconstitutionality of the current PSC District population imbalance, has indicated that a three-judge panel (two from Montana, one from California) will engage in redrawing PSC districts. Now there are legislators clamoring for a special session to draw districts — including the previously uncooperative chair of House Energy. I do not support a special session. Hastily drawn district lines from an expensive short special session will just kick the can down the road. The right temporary solution is to let the court rapidly engage, then the Legislature can do a thoughtful permanent fix in the 2023 session, a short 10 months away.

In most states, PSC commissioners are appointed. This is done to ensure that commissioners have a background in energy analysis. Going forward, I would

propose that two commissioners be elected, one from an eastern congressional district and one from the western congressional district. The other three would be appointed, two by the majority party and one from the minority. To ensure that Montanans can be confident in the commission's expertise, I would establish minimum requirements for background experience.

A hastily called special session will do more harm than good, especially as there are legislators who will work to extend the session to include their pet topic. This will waste tax dollars and stick the public with 10 more years of questionable PSC policy decisions. The current call for a special session is the final act of individuals who repeatedly chose to ignore their statutory obligations. As such, I adamantly oppose the call.

Sen. Duane Ankney, R-Colstrip, is chair of the Montana State Senate Energy and Telecommunications Committee.